

7-2-04

AF3739

IFW



PATENT
Attorney Docket No. (0320-0020) HOOV 120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
)
 Michael D. Hooven)
)
 Serial No.: 10/015,476)
)
 Filed: December 13, 2001)
)
 Group Art No.: 3739)
)
 Examiner: Rosiland S. Rollins)
)
 For: TRANSMURAL ABLATION DEVICE)
)

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NAME Renée Barthel

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NINTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the document listed on the attached form, which the document may be material to the examination of this application. A copy of the document is enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed document is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of the document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any

disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the document discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Supplemental Information Disclosure Statement is being mailed before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114. Accordingly, a fee is not required for the filling of this information disclosure under 37 C.F.R § 1.97(b)(4).

In addition, the cited information was first called to Applicant's attention in an Office Action dated June 16, 2004 in related Application Number 10/015,862 filed on December 12, 2001. Accordingly, pursuant to 37 C.F.R. § 1.97(e)(2), it is hereby stated: no item of this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this certification after making a reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing of this information

disclosure statement. Consequently, as provided in 37 C.F.R. § 1.97(c), a fee under §1.17(p) is not required for the filling of this information disclosure. However, if it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039 any additional fee required.

(A duplicate of this document is enclosed herewith.)

Respectfully submitted,

Date: July 1, 2004

By: 

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Attorneys for Applicant



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| <h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p> | Application Number | 10/015,476 |
| | Filing Date | December 13, 2001 |
| | First Named Inventor | Michael D. Hooven |
| | Group Art Unit | 3739 |
| | Examiner Name | Rosiland S. Rollins |
| | Attorney Docket Number | (HOOV 120) 0320-0020 |
| Total Number of Pages in This Submission | | |

| ENCLOSURES (check all that apply) | | |
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| Firm or Individual name | Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357) |
| Signature | <i>Gary W. McFarron</i> |
| Date | July 1, 2004 |

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